

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SIMILIANO MARTINEZ, BONIFACIO
SANTIAGO, DONATO SANTIAGO, JAVIER
SANTIAGO, MARGARITO CRUZ and MIGUEL
GONZALEZ, and on behalf of others similarly
situated,

Plaintiffs,

-against-

E&C PAINTING, INC., GIANT TAPING AND
PLASTERING, INC., ISIDRO VELASQUEZ,
EMIGDIO VELASQUEZ, and RUFIANO
VELASQUEZ,

Defendants.

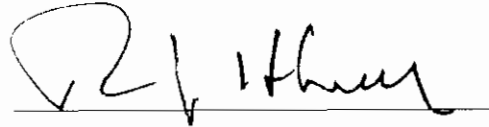
06 Civ. 05321 (RJH)

ORDER

On January 16, 2008, Magistrate Judge Dolinger issued a Report and Recommendation ("the Report") in this case recommending that defendants' motions to dismiss [40, 55] the claims of plaintiffs Margarito Cruz and Miguel Gonzalez be granted in part and denied in part. No objections have been filed. In the absence of objections, the Court reviews the Report for clear error. *See Edwards v. Fischer*, 414 F. Supp. 2d 342, 346-47 (S.D.N.Y. 2006). Finding none, the Court adopts the Report and dismisses the claims of plaintiffs Margarito Cruz and Miguel Gonzalez without prejudice and without an award of costs against plaintiffs' counsel.

SO ORDERED.

Dated: New York, New York
February 21, 2008

A handwritten signature in black ink, appearing to read "R. J. Holwell", written over a horizontal line.

Richard J. Holwell
United States District Judge